

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 334 (as introduced 2-18-99)
Sponsor: Senator Mike Rogers
Committee: Judiciary

Date Completed: 3-3-99

CONTENT

The bill would amend the Michigan Penal Code to exempt certain law enforcement, corrections, military, and other authorized personnel from the Code's regulations pertaining to the sale and possession of stun guns, short-barreled shotguns or rifles, and switchblade-type knives.

The Penal Code exempts all of the following from its restrictions against manufacturing, selling, or possessing certain weapons, and regulations pertaining to the carrying of concealed weapons and the transporting of firearms:

- A peace officer of an authorized Federal, State, or local police agency who is regularly employed and paid by the United States, the State of Michigan, or a Michigan political subdivision.
- A person who is regularly employed by the Department of Corrections (DOC) or a private vendor that operates a youth correctional facility, and who is authorized in writing by the DOC Director to carry a concealed weapon while in the performance of his or her duties or while going to or returning from those duties.
- A member of the United States Army, Air Force, Navy, or Marine Corps, while carrying weapons in the line of or incidental to duty.
- An organization authorized by law to purchase or receive weapons from the United States or from Michigan.
- A member of the National Guard, Armed Forces Reserve, or any other authorized military organization, while on duty or drill, or in going to or returning from a place of assembly or practice, while carrying weapons used for a purpose of any of those military organizations.

Under the bill, those individuals also would be exempt from the Penal Code prohibitions against the following:

- Selling, offering for sale, or possessing a portable device or weapon that directs an electrical current, impulse, wave or beam that is designed to incapacitate temporarily, injure, or kill (MCL 750.224a).
- Manufacturing, selling, offering for sale, or possessing a short-barreled shotgun or short-barreled rifle (MCL 750.224b).
- Selling, offering to sell, or possessing a knife having the appearance of a pocket knife, whose blade can be opened by the flick of a button, pressure on a handle, or other mechanical contrivance (MCL 750.226a).

MCL 750.231

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: B. Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.